



Office of the
Ohio Consumers' Counsel

Robert S. Tongren
Consumers' Counsel

RECEIVED

APR 15 1996

FCC MAIL ROOM

April 12, 1996

DOCKET FILE COPY ORIGINAL

Office of the Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: CC Docket No. 96-45

Dear Secretary:

Due to inadvertent error, please find the original and four (4) copies of the Summary portion of the Office of the Ohio Consumers' Counsel's Initial Comments to be filed in the above referenced proceeding.

Please date-stamp and return the additional copy in the pre-addressed, postage prepaid envelope to acknowledge receipt.

Thank you for your attention to this matter.

Sincerely,

Andrea M. Kelsey

Andrea M. Kelsey
Assistant Consumers' Counsel

AMK/pjm

Enclosure

No. of Copies rec'd. 0+4
JG:ALC/DE

77 S. High St., 15th Floor, Columbus, Ohio 43266-0550
614-466-8574/1-800-282-9448 (Ohio only)
Fax 614-466-9475

An Equal Opportunity Employer

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

RECEIVED

APR 15 1996

In the Matter of)
)
Federal-State Joint Board on) CC Docket No. 96-45
Universal Service)

FCC MAIL ROOM

DOCKET FILE COPY ORIGINAL

THE OFFICE OF THE OHIO CONSUMERS' COUNSEL'S
INITIAL COMMENTS

SUMMARY

In its initial comments submitted in this docket regarding universal service pursuant to the Telecommunications Act of 1996¹ (Act) the Office of the Ohio Consumers' Counsel (OCC) discusses questions about the extent of the Federal Communications Commission's (Commission) jurisdiction under the Act. It is OCC's position that the Commission's authority has been considerably broadened by the Act and that the Commission potentially has jurisdiction over a very wide variety of carriers for purposes of universal service support. OCC also discusses the extent to which 47 C.F.R. Part 36 should extend to other types of wire companies, such as cable companies, and presents its recommendations regarding the definition of "study area."

¹ Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996), *to be codified at* 47 U.S.C. §§ 151 *et seq.*

OCC takes the position that the Commission should establish broad guidelines and delegate most authority to the states. States will designate “eligible carriers” and can best monitor the receipt and use of universal service funding. Additionally, states should define “affordability,” since it may vary from state to state. States and the Commission will have to be vigilant to ensure that residential local exchange service remains affordable.

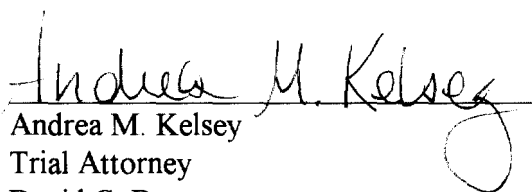
The Commission should define a basic package of core services that should be universally available and should receive. OCC recommends such a package. OCC also recommends that the services available to low-income consumers be broadly defined and OCC recommends a package for low-income consumers as well. OCC concurs with the Commission’s suggestion that consumers have free access to the central office and supports such access to 9-1-1 services. Free toll restriction also would assist low-income consumers.

OCC makes recommendations for periodic reviews so that the Commission can determine the extent to which the universal service goal has been met. The Commission should rely, to the extent possible, upon states and industry providers for the information necessary to make such a determination.

Lastly, OCC addresses the issues of funding and administration of universal service support, in particular the CCLC. OCC does not recommend that loop cost be recovered entirely from end-users through subscriber line charges. All services are delivered over the loop and all providers require the loop to deliver their services. Thus all providers should contribute to the loop. OCC supports changes in the method of recovery from carriers of the costs currently included in the CCLC.

Respectfully submitted,

ROBERT S. TONGREN
CONSUMERS' COUNSEL

A handwritten signature in black ink, reading "Andrea M. Kelsey". The signature is written in a cursive style with a large, looping "K" and a distinct "y" at the end. It is positioned above the printed name and title.

Andrea M. Kelsey

Trial Attorney

David C. Bergmann

Richard W. Pace, Sr.

Assistant Consumers' Counsel

Karen J. Hardie

Kathy L. Hagans

Technical Associates

**OFFICE OF THE OHIO CONSUMERS'
COUNSEL**

77 South High Street

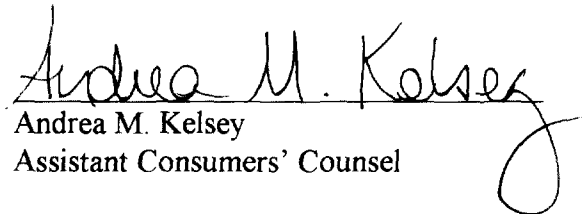
15th Floor

Columbus, Ohio 43266-0550

(614) 466-8574

CERTIFICATE OF SERVICE

I hereby certify that the Summary of the Initial Comments of the Office of the Ohio Consumers' Counsel have been served to the persons on the service list as well as to the members of the Federal-State Joint Board, International Transcription Service, and a diskette to Ernestine Creech by first class mail, postage prepaid on this 12th day of April, 1996.


Andrea M. Kelsey
Assistant Consumers' Counsel

Attachment: Service List

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, N.W. -- Room 814
Washington, D.C. 20554

The Honorable Andrew C. Barrett, Commissioner
Federal Communications Commission
1919 M Street, N.W. -- Room 826
Washington, D.C. 20554

The Honorable Susan Ness, Commissioner
Federal Communications Commission
1919 M Street, N.W. -- Room 832
Washington, D.C. 20554

The Honorable Julia Johnson, Commissioner
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

The Honorable Kenneth McClure, Vice Chairman
Missouri Public Service Commission
301 W. High Street, Suite 530
Jefferson City, MO 65102

The Honorable Sharon L. Nelson, Chairman
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

The Honorable Laska Schoenfelder, Commissioner
South Dakota Public Utilities Commission
500 E. Capital Avenue
Pierre, SD 57501

Martha S. Hogerty
Public Counsel for the State of Missouri
P.O. Box 7800
Harry S. Truman Building, Room 250
Jefferson City, MO 65102

Deborah Dupont, Federal Staff Chair
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

Paul E. Pederson, State Staff Chair
Missouri Public Service Commission
P.O. Box 360
Truman State Office Building
Jefferson City, MO 65102

Eileen Benner
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074

Charles Bolle
South Dakota Public Utilities Commission
State Capital, 500 E. Capital Avenue
Pierre, SD 57501-5070

William Howden
Federal Communications Commission
2000 L Street, N.W., Suite 812
Washington, D.C. 20036

Lorraine Kenyon
Alaska Public Utilities Commission
1016 West Sixth Avenue, Suite 400
Anchorage, AK 99501

Debra M. Kriete
Pennsylvania Public Utilities Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Clara Kuehn
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

Mark Long
Florida Public Service Commission
2540 Shumard Oak Blvd.
Gerald Gunter Building
Tallahassee, FL 32399-0850

Samuel Loudenslager
Arkansas Public Service Commission
P.O. Box 400
Little Rock, AR 72203-0400

Sandra Makeeff
Iowa Utilities Board
Lucas State Office Building
Des Moines, IA 50319

Philip F. McClelland
Pennsylvania Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, Pennsylvania 17120

Michael A. McRae
D.C. Office of the People's Counsel
1133 15th Street, N.W. -- Suite 500
Washington, D.C. 20005

Rafi Mohammed
Federal Communications Commission
2000 L Street, N.W., Suite 812
Washington, D.C. 20036

Terry Monroe
New York Public Service Commission
Three Empire Plaza
Albany, NY 12223

Andrew Mulitz
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

Mark Nadel
Federal Communications Commission
1919 M Street, N.W., Room 542
Washington, D.C. 20554

Gary Oddi
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

Teresa Pitts
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

Jeanine Poltronieri
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

James Bradford Ramsay
National Association of Regulatory Utility Commissioners
1201 Constitution Avenue, N.W.
Washington, D.C. 20423

Jonathan Reel
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

Brian Roberts
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

Gary Seigel
Federal Communications Commission
2000 L Street, N.W., Suite 812
Washington, D.C. 20036

Pamela Szymczak
Federal Communications Commission
2000 L Street, N.W., Suite 257
Washington, D.C. 20036

Whiting Thayer
Federal Communications Commission
2000 L Street, N.W., Suite 812
Washington, D.C. 20036

Deborah S. Waldbaum
Colorado Office of Consumer Counsel
1580 Logan Street, Suite 610
Denver, Colorado 80203

Alex Belinfante
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Larry Povich
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554